

| UNITED STATES DISTRICT COURT  |   |
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| SOUTHERN DISTRICT OF NEW YORK | < |

MELBOURNE RIDGE, JR., Plaintiff,

v.

**ORDER** 

18 CV 8958 (VB)

DETECTIVE MICHAEL G. DAVIS ET AL., Defendants.

The Court conducted an on-the-record conference today, at which plaintiff, who is proceeding pro se, appeared by telephone, and counsel for defendants appeared in person. Accordingly, it is HEREBY ORDERED:

- The Court DENIES IN PART defendants Mir, Goble, and Solomon's pending 1. motion to dismiss (Doc. #46), inasmuch as the motion seeks dismissal of plaintiff's claims against Solomon for failure to comply with Fed. R. Civ. P. 4(m). For good cause, the time to serve Solomon with a summons and the complaint is extended to January 21, 2020.
- 2. By December 6, 2019, defense counsel shall notify the Court of Solomon's current or last known address so that service on Solomon may be attempted.
- 3. By December 6, 2019, plaintiff shall either (i) oppose the motion to dismiss for failure to state a claim (as to defendants Mir and Goble only), or (ii) notify the Court that he does not intend to oppose the motion.
- If plaintiff opposes the motion, defendants' reply shall be due December 13, 4. 2019.

The Clerk is instructed to mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 22, 2019

White Plains, NY

SO ORDERED:

Vincent L. Briccetti

United States District Judge